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Dated: 11-18-04 Signature: Maura A. Gallagher
(Maura A. Gallagher)

Docket No.: MIY-P02-024
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Chu et al.

Application No.: 10/642397

Confirmation No.: 9981

Filed: August 14, 2003

Art Unit: 3731

For: SYSTEMS, METHODS AND DEVICES
RELATING TO DELIVERY OF MEDICAL
IMPLANTS

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A copy of the non US references listed on the PTO/SB/08 is attached. A summary/abstract translation of the non-English language references is enclosed where applicable.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this

Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Applicants call the Examiner's attention to office actions which may have issued in the following co-pending, co-owned patent applications of which subject matters are related to that of the instant application:

U.S. Patent Application Serial Number	Filing Date
10/093,371	March 7, 2002
10/093,398	March 7, 2002
10/093,424	March 7, 2002
10/093,450	March 7, 2002
10/093,498	March 7, 2002
10/094,354	March 7, 2002
10/642,395	August 14, 2003
10/642,365	August 14, 2003
10/641,487	August 14, 2003

Applicant(s) have become aware of the following documents: U.S. Patent No. 6,312,448; U.S. Patent No. 5,904,692; WO 00/74594; EP 1159920; and U.S. Patent No.

5,899,909, cited in an International Search Report issued August 20, 2004, during the prosecution of international application no. PCT/US03/25568, which corresponds to the above referenced application, and in accordance with 37 CFR 1.97(c) and (e)(1) or (b)(3), hereby submit(s) these documents for the Examiner's consideration. These documents are cited on the enclosed PTO Form SB/08, and a copy of the International Search Report and each document cited thereon are enclosed as well.

This statement is not to be interpreted as a representation that the cited documents are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any document herein be construed *per se* as a representation that such document is prior art. Moreover, Applicant(s) understand(s) the Examiner will make an independent evaluation of the cited documents.

The undersigned hereby certifies that each item contained in this Information Disclosure Statement was cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. MIY-P02-024.

Dated: November 18, 2004

Respectfully submitted,

By 

Weishi Li

Registration No.: 53,217

ROPES & GRAY LLP

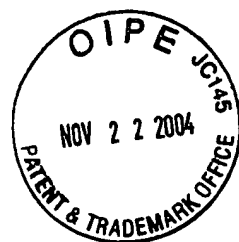
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Attorneys/Agents For Applicant



PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/B/PTO		Complete If Known			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	10/642397		
		Filing Date	August 14, 2003		
		First Named Inventor	Michael S. H. Chu		
		Art Unit	N/A		
		Examiner Name	Not Yet Assigned		
Sheet	1	of	7	Attorney Docket Number	MIY-P02-024

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A1	D466213 S	11/26/02	Snitkin et al.	
	A2	2,738,790	3/20/56	Todt Sr., et al.	
	A3	2,751,903	6/26/56	Ivory et al.	
	A4	2,917,878	12/22/59	Edwin et al.	
	A5	3,472,232	10/14/69	Earl et al.	
	A6	3,565,073	2/23/71	Giesy	
	A7	3,699,969	10/24/72	Allen	
	A8	3,704,712	11/28/72	Giesy et al.	
	A9	3,710,795	1/16/73	Higuchi et al.	
	A10	3,763,860	10/9/73	Clarke	
	A11	3,875,937	4/8/75	Schmitt et al.	
	A12	3,877,434	4/15/75	Ferguson et al.	
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	A14	3,995,619	12/7/76	Glatzer	
	A15	4,172,458	10/30/79	Pereyra	
	A16	4,363,319	12/14/82	Altshuler	
	A17	4,367,816	1/11/83	Wilkes	
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	A19	4,445,898	5/1/84	Jensen	
	A20	4,535,768	8/20/85	Hourahane et al.	
	A21	4,592,339	6/3/86	Kuzmak et al.	
	A22	4,606,335	8/19/86	Wedeen	
	A23	4,739,751	4/26/88	Sapega et al.	
	A24	4,741,330	5/3/88	Hayhurst	
	A25	4,744,353	5/17/88	McFarland	
	A26	4,776,337	10/11/88	Palmaz	
	A27	4,784,137	11/15/88	Kulik et al.	
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	A30	4,824,435	4/25/89	Giesy et al.	
	A31	4,872,451	10/10/89	Moore et al.	
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	A34	4,896,668	1/30/90	Popoff et al.	
	A35	4,920,958	5/1/90	Walt et al.	
	A36	4,927,420	5/22/90	Newkirk et al.	
	A37	4,938,760	7/3/90	Burton et al.	
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	A40	4,988,339	1/29/91	Vadher	
	A41	5,002,550	3/26/91	Li	
	A42	5,013,292	5/7/91	Lemay	
	A43	5,064,435	11/12/91	Porter	
	A44	5,078,730	1/7/92	Li	
	A45	5,084,058	1/28/92	Li	
	A46	5,085,661	2/4/94	Moss	

Examiner Signature		Date Considered	
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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
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				First Named Inventor	Michael S. H. Chu
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	2	of	7	Attorney Docket Number	MIY-P02-024

A47	5,087,263	2/11/92	Li	
A48	5,089,013	2/18/92	Bezwada et al.	
A49	5,112,344	5/12/92	Petros	
A50	5,133,723	7/28/92	Li et al.	
A51	5,149,329	9/22/92	Richardson	
A52	5,152,749	10/6/92	Giesy et al.	
A53	5,163,946	11/17/92	Li	
A54	5,167,634	12/1/92	Corrigan Jr. et al.	
A55	5,188,636	2/23/93	Fedotov	
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A57	5,207,679	5/4/93	Li	
A58	5,222,508	6/29/93	Contarini	
A59	5,234,457	8/10/93	Andersen	
A60	5,250,033	10/5/93	Evans	
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A62	5,279,311	1/18/94	Snyder	
A63	5,281,237	1/25/94	Gimpelson	
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A65	5,334,185	8/2/94	Giesy et al.	
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A93	5,702,215	11/30/97	Li	
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Examiner Signature		Date Considered	
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				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	3	of	7	Attorney Docket Number	MIY-P02-024

A97	5,776,184	7/7/98	Tuch	
A98	5,813,408	9/29/98	Benderev et al.	
A99	5,816,258	10/6/98	Jervis	
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A109	5,997,541	12/7/99	Schenk	
A110	6,001,104	12/14/99	Benderev et al.	
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A145	6,638,211	10/28/03	Suslian et al.	
A146	6,641,525	11/4/03	Rocheleau et al.	

Examiner Signature		Date Considered	
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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
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				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	4	of	7	Attorney Docket Number	MIY-P02-024

A147	6,648,921	11/18/03	Anderson et al.	
A148	6,652,450	11/25/03	Neisz et al.	
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A188	2004/0015048	1/22/04	Neisz et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
B1	DE	2,305,815 A1	8/8/74			
B2	DE	2,532,242 A1	2/10/77			

Examiner Signature		Date Considered	
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

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Sheet	5	of	7	Attorney Docket Number	MIY-P02-024

<input checked="" type="checkbox"/>	B3	DE 43 34 419 A1	4/13/95	Univ. Ludwigs Albert		
<input checked="" type="checkbox"/>	B4	EP 0 417 189 B1	10/15/97	Boston Scientific Ireland Limited		
<input checked="" type="checkbox"/>	B5	EP 0 506 920 B1	4/9/97	Salama		
<input checked="" type="checkbox"/>	B6	EP 0 628 288 B1	4/5/00	Vidamed, Inc.		
<input checked="" type="checkbox"/>	B7	EP 0 831 751 B1	11/6/02	Bogojavlensky et al.		
<input checked="" type="checkbox"/>	B8	EP 1 159 920 A2	12/5/01	United States Surgical Corp.		
<input checked="" type="checkbox"/>	B9	EP 1 321 111 A2	6/25/03	Conticare, Inc.		
<input checked="" type="checkbox"/>	B10	EP 0 140 557 A3	5/8/85	Blackwood		
<input checked="" type="checkbox"/>	B11	EP 0,437,063 A2	7/17/91	Vance Products		
<input checked="" type="checkbox"/>	B12	EP 0,437,063 A3	7/17/91	Vance Products		
<input checked="" type="checkbox"/>	B13	EP 0 599 772 A1	6/1/94	Technion Research and Development Foundation Ltd.		
<input checked="" type="checkbox"/>	B14	FR 1,539,593	9/13/68	Johnson		
<input checked="" type="checkbox"/>	B15	FR 2,739,016	3/28/97	Comte Georges		
<input checked="" type="checkbox"/>	B16	GB 2,268,690	1/19/94	Lopez		
<input checked="" type="checkbox"/>	B17	SE 503 271	3/1/96	Medscand AB		
<input checked="" type="checkbox"/>	B18	SE 506 164	4/10/97	Medscand Medical AB		
<input checked="" type="checkbox"/>	B19	SU 1,225,547	4/23/86	N.V. Sklifosovskii Moscow Scientific Research Institute of First Aid		
<input checked="" type="checkbox"/>	B20	SU 1,443,873 A1	7/26/89	Kiev State Institute for Further Education of Physicians		
<input checked="" type="checkbox"/>	B21	WO 00/74594	12/14/00	Ethicon, Inc.		
<input checked="" type="checkbox"/>	B22	WO 93/10715	6/10/93	Vesitec Medical Inc.		
<input checked="" type="checkbox"/>	B23	WO 93/19678	10/14/93	Vesitec Medical Inc.		
<input checked="" type="checkbox"/>	B24	WO 96/01597	1/25/96	Dacomed Corporation		
<input checked="" type="checkbox"/>	B25	WO 96/34587	11/7/96	Uramed Corporation		
<input checked="" type="checkbox"/>	B26	WO 96/39227	12/12/96	Urology Inc.		
<input checked="" type="checkbox"/>	B27	WO 97/13465	4/17/97	Medscand Medical		
<input checked="" type="checkbox"/>	B28	WO 98/12971	4/2/98	Medworks Corporation		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	
<input checked="" type="checkbox"/>	C1	Bayer et al., "A New Approach To Primary Strengthening Of Colostomy With Marlex Mesh To Prevent Paracolostomy Hernia," Surgery, Gynecology & Obstetrics, 163:579-580, (1986).		
<input checked="" type="checkbox"/>	C2	Benderev, "A New Endoscopic Bladder Neck Suspension For The Outpatient Treatment Of Stress Urinary Incontinence," J. Urology, 149:197a (1993).		
<input checked="" type="checkbox"/>	C3	Benderev, "Anchor Fixation And Other Modifications Of Endoscopic Bladder Neck Suspension," Urology, 40:409-418 (1992).		
<input checked="" type="checkbox"/>	C4	Benderev, Theodore, "A Modified Percutaneous Outpatient Bladder Neck Suspension		
Examiner Signature				Date Considered

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Sheet	6	of	7	Attorney Docket Number	MIY-P02-024

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				Filing Date	August 14, 2003
				First Named Inventor	Michael S. H. Chu
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
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	Filing Date	August 14, 2003
	First Named Inventor	Michael S. H. Chu
	Art Unit	N/A
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